

Posted: March 4, 2016

**REQUEST FOR PROPOSALS
DEPARTMENT OF PUBLIC WORKS – DIVISION OF TRANSPORTATION
CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES
INDEFINITE QUANTITY CONTRACT**

Services Requested

The City of Norfolk Department of Public Works, Division of Transportation is soliciting proposals from qualified professional firms to provide Construction Administration and Inspection Services on an as-required basis. The City intends to enter into an annual, renewable Agreement with the firm selected to provide these services. Other related government organizations or agencies may be allowed to issue Work Orders under this Agreement, as permitted by the City. The City will provide a scope of services for each specific request for services under the Agreement. A request for services may include, but not necessarily be limited to, the following: construction administration; project management; construction management; construction inspection; quality control and quality assurance; material sampling, testing and certifications; surveying; utility designation and location; constructability reviews; value engineering; construction schedule and critical path method (CPM) reviews; delay claims analysis; cost estimating; construction document review; payment review and processing (to include all applicable documentation). The term of this Agreement shall be for one (1) year commencing on the date of the City's Notice to Proceed. The term of this Agreement may be extended at the discretion of the City for one (1) additional year, with an option to extend for another year, with a written Amendment to the Architect/Engineer from the Director of Public Works. All Work Orders will be issued during the effective period of this Agreement and shall be completed by the Architect/Engineer within the time period set in the Work Order. The Architect/Engineer shall not be required to accept any Work Order under this Agreement after the Agreement completion date. The Architect's Rate Schedule may be adjusted, as approved in writing by the Owner, on an annual basis. There is no minimum amount established per Work Order. The maximum amount per Work Order and the total aggregate amount of Work Orders shall be in accordance with current Norfolk City Code, Section 33.1-38.

Consultant Procurement and all work performed under this annual services contract shall be in accordance with the current edition of the Virginia Department of Transportation's (VDOT) Locally Administered Projects (LAP) Manual.

Qualification Requirements

The successful firm must demonstrate expertise and experience in construction engineering management and inspections of a variety of projects including City and/or State and/or Federally funded projects including, but not limited to: site improvements; drainage improvements; highway and roadway construction and reconstruction; intersection improvements; traffic, pedestrian, and cyclist safety improvements; bridge construction and widening; and utility improvements. The successful firm shall include the management of all construction activities necessary to ensure the completion of a high quality product, meeting all contract specifications, and applicable federal, state and local laws and regulations. In addition, the firm should ensure the contractors are responsible for compliance with all applicable federal, state and local laws and regulations.

including, but not limited to, Occupational Health and Safety, Environmental Compliance, Equal Employment, Civil Rights and DBE-related documents. Some of the services that the firm shall provide include, but not limited to, recommendations at preconstruction and construction meetings; review and recommendations of bid and contract documents; review and recommendations of value engineering proposals; review and recommendations of construction schedules, estimates and bids; review and recommendations for constructability, sequence of construction, and maintenance of traffic; payment processing and reimbursement related to the construction documentations; coordination with private utility companies for relocation of existing facilities and construction of proposed facilities; preparation of public notices for planned and/or changed construction activities; and the inspection and testing of materials and soils. The firm must have demonstrated experiences in testing as required for field and qualified laboratory testing requirements and have obtained the required certifications and licenses by the State/Federal agencies. The firm shall have demonstrated knowledge in specifications, standards, design standards and requirements, and construction documentations from State/Federal agencies and City of Norfolk's Departments. The firm must have experience in and be familiar with Virginia Department of Transportation (VDOT) and Federal Highway Administration (FHWA) construction requirements as specified in the VDOT's Locally Administered Project Manual and State/Federal reporting requirements associated with financial reimbursement.

Selection Criteria

The selection criteria shall be based on: (1) Professional qualifications of staff assigned; (2) Specialized experience in the type of work required; (3) Familiarity with VDOT's Locally Administered Projects (LAP) construction requirements, including all VDOT/FHWA required documentation; (4) Quality of past performance on similar projects/annual services contracts; (5) Experience and qualifications of any consultants; (6) Familiarity with Federal and State EEO/Civil Right's documentation requirements; (7) Current volume of work that could affect ability to complete the work on time.

Proprietary Information

Offerors are advised that Section 2.2-4342 of the Code of Virginia, i.e., the Virginia Public Procurement Act, and Section 33.1-9 of the City Code, shall govern public inspection of all records submitted by the Offeror. Specifically, if Offeror seeks to protect any proprietary data or materials, pursuant to Section 2.2-4342, and Section 33.1-9, Offeror shall (i) invoke the protections of this section prior to or upon submission of the data or other materials, (ii) identify the data or other materials to be protected, and (iii) state the reasons why protection is needed. Furthermore, the Offeror shall submit proprietary information under separate cover, and the City reserves the right to submit such information to the City attorney for concurrence of the Offeror's claim that it is in fact proprietary. References may be made within the body of the proposal to proprietary information; however, all information contained within the body of the proposal not labeled proprietary or otherwise not meeting all three of the requirements of Section 2.2-4342, and Section 33.1-9 shall be public information in accordance with State and City statutes.

Nondiscrimination Provision

Construction contractors and consultants must abide by the provisions of Title VI of the Civil Rights Act of 1964 (42 USC 2000 d). Title VI of the Civil Rights Act of 1964 declares it to be the policy of the United States that discrimination on the grounds of race, color, or national origin and other related statutes shall not occur in connection with programs and activities receiving Federal financial assistance and authorizes and directs the appropriate Federal departments, agencies, and sub-recipients to take action to carry out this policy. FHWA 1273 is a required contract provision for federal-aid projects and must be physically incorporated in every federal contract. 49 CFR Parts 21, 23, 26, and 27 and 23 CFR Parts 200, 230, and 633 are incorporated by reference in all contracts and subcontracts funded in whole or in part with federal funds.

For state-funded projects, construction contractors and consultants must abide by Title 2.2, chapter 43 of the Code of Virginia (the Public Procurement Act) that declares it to be the policy of the Commonwealth of Virginia that discrimination on the grounds of race, color, or national origin shall not occur in connection with programs and activities receiving state financial assistance.

Proposals

A. The Proposal shall be organized in the following order:

1. Transmittal Letter (1 page maximum)
2. Table of Contents (1 page maximum)
3. Understanding of Scope of Work & Associated Qualifications
4. GSA Form 255 – one combined for project team
5. GSA form 254 – one for each firm (4 pages maximum per firm)
6. Firm data sheet
7. Present Workload with City of Norfolk form
8. Certification Regarding Debarment form(s)
9. Listing of affiliated or subsidiary companies
10. A written statement attesting that the firm maintains an errors and omissions liability policy with a minimum limit of \$1,000,000.

Note: Proposals submitted in the public procurement process are subject to public inspection in accordance with the Virginia Freedom of Information Act. Therefore, trade secrets or propriety information must be clearly identified to prevent their disclosure, and the reason why protection is required must be stated (City Code Sec. 33.1-9).

B. **Understanding of Scope of Work & Associated Qualifications:**

In 4 pages or less, please emphasize your firm's qualifications in the following areas:

- i. Construction administration/management of federally funded Locally-Administered construction projects
- ii. Construction administration/management of state funded Locally-Administered construction projects.
- iii. Discuss your familiarity with all construction documentation that VDOT requires on Locally Administered construction projects, including Civil Rights and Equal Opportunity requirements.
- iv. Discuss your firm's construction management/inspection experience in the City of Norfolk.

C. The **GSA Form 255** must specify the number of personnel by discipline for each office where the work is to be performed. In Section 4 of *GSA Form 255*, list only the full time employees assigned to the specified office at the time of this submission. Section 8 of *GSA Form 255* is limited to one page with not more than 10 projects total (prime and subconsultants combined) on the one page and should primarily list experience of offices where the work will be performed and of the people shown in the organizational chart. If the experience shown is for a branch office other than where the work will be performed, it should be clearly indicated as such. More detailed descriptions for Section 8b may be expanded into Section 10. In section 9 of *GSA Form 255*, references to Federal agencies are to be replaced by the City of Norfolk.

- D. If more than one firm will participate in the contract, state the type of arrangement between the firms, the names and addresses of all firms, description of the work that each firm will perform, and the percentage of work to be performed by each in Section 5 and 6 of *GSA Form 255*. Indicate office locations at which the work will be performed. A one page organizational chart showing all firms involved and key personnel assignments and responsibility is required to be included.
- E. In Section 7 of *GSA Form 255*, indicate KEY PERSONNEL ONLY who will be assigned to this annual contract and give the experience record of each. Key personnel are defined as those to whom the project will be assigned and who will be performing the actual construction administration/inspection services. The construction manager shall have a minimum of five years experience in construction management of state and federally funded construction projects varying in construction costs from \$100,000 to several million dollars. Persons assigned as construction managers shall be licensed Professional Engineers in the Commonwealth of Virginia. Persons assigned to inspect construction projects must have at least five years of inspection experience on federally funded construction projects and have all VDOT-required certifications. In Section 7c, indicate the location of the office where the person is currently working if different from where work is to be performed. In Section 7c, part time personnel, personnel not employed on the date of the form, or personnel used on an “as needed basis” must have their status clearly indicated. Section 7g may be expanded to provide a total of a one page resume per individual. Limit number of resumes in Section 7g to the top seven key individuals to be working directly on this project. Furthermore, all individuals identified as Key personnel in the Statement of Interest shall remain on the Construction Team for the duration of the procurement process and, if the consultant is awarded a contract, the duration of the contract. If extraordinary circumstances require a proposed change, it must be submitted in writing to the City of Norfolk, who will determine whether to authorize a change. Unauthorized changes to the Consultant’s Team at any time during the procurement process may result in elimination of the consultant’s Team from further consideration.
- F. Section 10 of *GSA Form 255* is limited to a maximum of ten pages. This section should describe the organization of the proposed project staff indicating the role of each by individual. If subconsultants are proposed, the role of each subconsultant should be discussed. It should also include statements that are responsive to the attached criteria that will be used to evaluate your submission. This is the ONLY section of the submission which may include pictures or graphics (included in the ten page limit). List any computer and CADD equipment and any specialized computer software packages that you will use on this annual contract.
- G. Submit one ***GSA Form 254*** for each firm proposed to do work under this annual services contract. No more than four pages maximum shall be submitted per firm.
- H. The attached ***Firm Data Sheet*** must still be submitted and instructions on form adhered to. It is the policy of the City of Norfolk and the Virginia Department of Transportation that Disadvantaged Business Enterprises (DBE) as defined in 49 CFR Part 26 shall have the maximum opportunity to participate in the performance of federally funded consultant contracts. A list of Virginia Department of Minority Business Enterprise certified DBE firms is maintained on their web site (<http://www.dmb.state.va.us/>) under the DBE Directory of Certified Vendors. Consultants are encouraged to take all necessary and reasonable steps to ensure that DBE have the maximum opportunity to compete for and perform services on the contract. If the consultant intends to subcontract a portion of the services on the project, the consultant is encouraged to seek out and consider DBE as potential subconsultants. The consultant is encouraged to contact DBE to solicit their interest, capability and qualifications. Any agreement between a consultant and a DBE whereby the DBE promises not to provide services to other consultants is prohibited. There is no DBE goal on this project/contract.

- I. Please carefully read the instructions and complete the **Present Workload with City of Norfolk form**. If any firms involved with this submission currently have work with the City of Norfolk, indicate the projects, the division managing the projects, the amount of outstanding fee remaining, and the estimated date of completion. For limited services term contracts, include only the amount of all tasks orders executed or under negotiation. Also, include your estimated fees for pending supplemental agreements and any projects for which the firms have been selected, but have not executed an agreement. Work of affiliated and/or subsidiary companies is to be included. The outstanding workload of any Virginia Department of Minority Business Enterprise certified DBE or SWaM prime or subconsultant is not to be included. When a DBE or SWaM firm graduates from the program, their workload incurred while a DBE or SWaM will be exempted for the next three years. Any workload obtained after graduating from the program will be counted. Work being performed under the Public Private Transportation Act (PPTA) or as a subcontractor on a Design-Build project shall not be included. Work being performed as a prime or joint venture on a Design-Build project shall be included. The outstanding fee remaining is the maximum total compensation payable less the amount previously paid to date. This information shall be submitted using the attached Present Workload with City of Norfolk form.
- J. Please indicate, by executing and returning the attached ***Certification Regarding Debarment*** forms, if your firm, subconsultant, subcontractor, or any person associated therewith in the capacity of owner, partner, director, officer or any position involving the administration of Federal or State funds:
- Is currently under suspension, debarment, voluntary exclusion or determination of ineligibility by any federal agency.
 - Has been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years.
 - Has a proposed debarment pending; or has been indicted, convicted, or had a civil judgment rendered against it or them by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

Any of the above conditions will not necessarily result in denial of award, but it will be considered in determining offeror responsibility. For any condition noted, indicate to whom it applies, initiating agency, and dates of action. Providing false information may result in Federal criminal prosecution or administrative sanctions.

- K. Provide a **list of names and detailed addresses of all affiliated and/or subsidiary companies**. Indicate which companies are subsidiaries. (Affiliate – Any business entity which is closely associated to another business entity so that one entity controls or has the power to control the other entity either directly or indirectly; or, when a third party has the power to control or controls both; or where one established course of dealings, including but not limited to the lending of financial wherewithal, engaging in joint ventures, etc. as to cause a public perception that the two firms are one entity. Firms which are owned by a holding company or a third party, but otherwise meet the above conditions and do not have interlocking directorships or joint officers serving are not considered affiliates.
- L. Provide a written statement attesting that the firm maintains an **errors and omissions liability policy** with a minimum limit of \$1,000,000.
- M. If the prime consultant or subconsultant does not have the in-house capability to provide non-professional services, each with an estimated cost of \$5,000 or greater, such as soil drilling, sampling services or

laboratory testing, these services must be subcontracted in accordance with State procurement procedures once a contract is executed, with no DBE or SWaM credit in the selection of the most qualified firm or team. Clearly indicate these services in the Statement of interest.

- N. A project schedule is not applicable, as this is an annual contract which will require individual work orders when construction administration/inspection services are needed. Enclosed is a preliminary forecast/schedule of City of Norfolk's Locally Administered projects, which are funded through VDOT/FHWA. Additional projects may be added during the contract term, as necessary.
- O. A project approach discussion is neither required nor desired for this contract.
- P. In addition to the page restrictions listed above, a maximum 5 additional pages may be included in the Statement of Interest. All pages are to be 8 1/2" X 11" and single-spaced type no smaller than 12 pitch.

Administrative/Other

1. The following services will **NOT** be required:

Engineering Design services X

Certification of construction materials, including material testing, as required by VDOT/FHWA will be required. Construction surveying when construction discrepancies arise in the field may be required.

2. All business entities, except for sole proprietorships, are required to register with the Virginia State Corporation Commission (A Business Registration Guide is available on the Internet at <http://www.state.va.us/scc/division/clk/brg.htm>). Foreign Professional corporations and Foreign Professional Limited Liability Companies must possess a Commonwealth of Virginia Certificate of Authority from the State Corporation Commission to render professional services. Any business entity other than a professional corporation, professional limited liability company or sole proprietorships that do not employ other individuals for which licensing is required must be registered in the Commonwealth of Virginia with the Department of Professional & Occupational Regulation, Virginia Board for Architects, Professional Engineers, Land Surveyors and Landscape Architects (<http://www.state.va.us/dpor>). Board regulations require that all professional corporations and business entities that have branch offices located in Virginia which offer or render any professional services relating to the professions regulated by the Board be registered with the Board. Registration involves completing the required application and submitting the required registration fee for each and every branch office location in the Commonwealth. All branch offices which offer or render any professional service must have at least one full-time resident professional in responsible charge who is licensed in the profession offered or rendered at each branch. All firms involved that are to provide professional services must meet this criterion prior to submitting a Proposal to the City of Norfolk. Individual project engineers shall meet the requirements of Chapter 4, Title 54.1 of the Code of Virginia.
3. The City of Norfolk will not consider for award any cost proposals submitted by any consultants and will not consent to subcontracting any portions of the contract to any subconsultants in violation of the provision of the Federal Immigration Reform and Control Act of 1986, which prohibits employment of illegal aliens.

4. The method of payment will be actual costs for each project assignment based on fixed billable rates. For purpose of determining the fixed billable rates, an overhead rate shall be established in compliance with cost principles contained in the Federal Acquisition Regulations (FAR) of Part 31 of Title 48 of the code of Federal Regulations. The overhead rate shall be established by an audit by a cognizant government agency or independent CPA firm.
5. All firms submitting Statements of Interest (prime consultants, joint ventures and subconsultants) must have internal control systems in place that meet Federal requirements for accounting. These systems must comply with requirements of 48CFR31, "Federal Acquisition Regulations, Contract Cost Principles and Procedures," and 23CFR172, "Administration of Negotiated Contracts." All firms selected for a project (prime consultants, joint ventures and subconsultants) must submit their FAR audit data to the City of Norfolk within 10 work days of being notified of their selection. Should any firm on the consultant team fail to submit the required audit data within the 10 work days, negotiations will be terminated by the City of Norfolk and the next most qualified team invited to submit a proposal.
6. Records Exclusion from Public Disclosure: Pursuant to the provisions of §2.2-3705.6 (22) of the Code of Virginia, trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), including, but not limited to, financial records, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the Inspector General of the Virginia Department of Transportation for the purpose of an audit, special investigation, or any study requested by the Inspector General's Office in accordance with law may, subject to a determination by the Inspector General as described herein, be withheld from public disclosure under the Virginia Freedom of Information Act (FOIA). To enable the Inspector General to identify data or records that may be subject to this exclusion from disclosure under FOIA the private or nongovernmental entity shall, in accord with procedures adopted by the Inspector General, make a written request to the Inspector General of the Virginia Department of Transportation:
 - a. Invoking such exclusion upon submission of the data or other materials for which protection is sought
 - b. Identifying with specificity the data or other materials for which protection is sought and stating the reasons why protection is necessary

The VDOT Inspector General shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. The City of Norfolk shall make a written determination of the nature and scope of the protection to be afforded by it. Notwithstanding the foregoing, contractor's failure to comply with the requirements stated herein and procedures established by the Inspector General for seeking an exclusion pursuant to §2.2-3705.6 (22) of the Code of Virginia shall result in a denial of the exclusion. Requests for exclusion that are submitted after data or other materials for which protection is sought have been submitted will be denied.

If litigation directly or indirectly results from or arises out of a granted exemption, the contractor will be responsible for all litigation costs incurred by contractor and/or the City of Norfolk associated with such litigation. In no event shall the City of Norfolk or its officers, employees or agents be liable to the contractor as a result of any disclosure of records or data collected by the City of Norfolk its officers, employees or agents, pursuant to an audit, special investigation, or any study requested by the Inspector General's Office, whether or not the Inspector General has determined that the requested exclusion from disclosure under FOIA is necessary to protect the trade secrets or financial records of

the private entity, and in no event shall the City of Norfolk, or its officers, employees, or agents be liable to the contractor for any damages or other claims arising directly or indirectly from a determination that the exclusion from public disclosure will not be granted.

7. Submittals shall be prepared simply and economically, providing a straightforward, concise description of the firm's capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of content. Elaborate brochures and other representations beyond that sufficient to present a complete and effective proposal are neither required nor desired. Please do not duplicate information furnished in the GSA Form 254 or 255 elsewhere in the submittal.
8. The prime consultant hired for an annual services contract will be required to submit a package that includes cost proposals for them and all of their sub-consultants. This package shall include a breakdown of all costs and documentation supporting the proposed cost as described below:

Direct Labor Costs

- A listing of the proposed average hourly rates per classifications including the employee names and hourly pay rates used to determine the average hourly rates per classification supported by *actual payroll registers* for each employee proposed.
- A calculation showing how the escalation was derived with the breakdown of escalation amount per year of contract performance. Escalation is limited to 1.5% in the first year of the contract and 3% for all subsequent years. (**Temporarily suspended until further notice**)
- Principals, partners, executives, etc. are considered administrative, whose costs should be included in the overheads. If a principal, etc. chooses to perform technical services, they can bill at the comparable rate to the technical activity or function being performed.

Indirect (Overhead) Cost

- Federal Acquisition Regulation (FAR) audit approval letter from ECAD, or an audit performed in accordance with the FAR by an independent CPA firm or cognizant government agency no older than 18 months.
- In the absence of the FAR audit we will allow up to 75% for the overhead rate to be used in the cost proposal and based on supporting documentation submitted by the consultant.
- The FAR audit requirement is waived for sub-consultants whose cost proposal amount is less than \$200 thousand. We need documentation in support of the proposed overhead rate.

Net fee

- The net fee should be negotiated and within VDOT guidelines found in Chapter 4 of the Professional Procurement Manual, with written documentation to justify any net fee rate over 10%.

Non-Salary (Other) Direct Cost

- Costs for employees on travel status are limited to the VDOT travel policy for lodging, per diem, and mileage rates.
- All in-house developed rates proposed should be supported by proper source documentation.
- All other direct cost proposed should be reasonable, based upon actual costs, and in accordance with the VDOT Policy.

Contingency

- The contingency should be negotiated and within VDOT guidelines, with written documentation to justify any contingency rate over 5%.

9. **Supplemental Direct Labor Cost information:** The prime consultant selected for this annual services contract will be required to submit their cost proposal(s), to include all subconsultants, a breakdown of all costs and supporting documentation supporting the proposed cost as described below:

Direct Labor Costs

Proposal should contain supporting data such as:

- **Description of the scope of the work**
- **Proposed schedule**
- **Man-hours**
 - required for each task, stage or element, by each category of personnel
- **Average hourly rates**
 - for each category of personnel with payroll register or similar supporting documentation
- **Estimated direct costs**
 - The allowable lodging and meal and incidental expense rates to be used should not exceed allowed in the VDOT Travel Policy.
 - Consultant travel reimbursement is limited to the rates stipulated in the VDOT Travel Policy.
 - The acquisition of any individual item or service costing more than \$5,000, but no more than \$50,000, shall be supported by at least four (4) written quotes from DMBE-certified small businesses , if available.
 - Consultants (geotechnical, aerial photography, testing labs, Etc.) which normally work on a unit price basis probably cannot provide support for their unit prices; however, they should provide a copy of their standard fee schedule and shall attest that the fees contained thereon are their normal fees for such services.
 - If a consultant proposes to purchase or lease computer hardware and/or software for use on a project, the proposal must be reviewed by the Information Technology Application Division (ITAD).
- **Sub-Consultant Costs**
 - Prime consultant administrative mark-ups on costs for the managing of sub-consultants, in addition to the overhead, labor, and fixed fee are not allowed.
- **Payroll Burden & Overhead Rates**
 - Audited in accordance with the FAR. Rates should be for a period not older than eighteen (18) months.
 - The consultant and all sub-consultants must comply with the FAR audit rate requirement within ten (10) work days of being notified of selection.
 - The overhead audit shall be performed by an independent CPA firm or cognizant government agency.
 - The audit shall be subject to review and approval by the ECAD.
 - FAR audits are not required for sub-consultants whose fees are estimated to be less than \$200,000.

- If the proposed services require the establishment of a field office or if the consultant employees will work out of a VDOT provided office (such as Construction Engineering Inspection Services), a separate audited field overhead rate must be submitted. If no audited field overhead rate is available, an overhead rate of 75% will be allowed.
10. The City of Norfolk assures compliance with Title VI of the Civil Rights Act of 1964, as amended. The consultant and all subconsultants selected for this project will be required to submit a VDOT Title VI Evaluation Report (EEO-D2) within 10 work days of notification of selection when requested by the City of Norfolk. This requirement applies to all consulting firms when the contract amount equals or exceeds \$10,000.
 11. Although no DBE goal is required under this contract, a 10% DBE participation goal is suggested. The following documents are attached for your reference as required by the Virginia Department of Transportation.
 - a. **Attachment 1:** U.S. DOT 1050.2 Title VI Assurance Appendix A
 - b. **Attachment 2:** DBE Policy Statement
 - c. **Attachment 3:** Form C-63 (DBE/SWaM Payment Compliance Report)
 - d. **Attachment 4:** Title VI Evaluation Report
 - e. **Attachment 5:** Form C-49
 12. Norfolk Businesses: It is the policy of the City to support Norfolk businesses and workforce development, and the City encourages companies with corporate offices in Norfolk, and which employ Norfolk residents, to compete for City contracts.
 13. Any offeror who desires to protest the award of a contract shall submit such protest in writing to the City of Norfolk no later than ten days after the announcement of the award.
 14. Emergency Services: These services may also be required during emergencies. The issuance of a Declaration of Emergency Conditions by authorized government officials shall cause any agreement or contract resulting from this proposal to be activated at the terms and conditions listed in the agreement or contract. The selected firm shall make available to the City of Norfolk, during the time of emergency, its time, equipment, and expertise in those services for which the firm has been previously contracted. Failure to comply may result in termination of the agreement or contract by the City of Norfolk.

EVALUATION OF PROPOSALS

Evaluation of proposals will be under the complete jurisdiction of the City of Norfolk. It is the intent of this Request for Proposals that all services be prepared complete in all respects without need for engaging separate technical expertise of professional services.

Upon receipt of the proposals, the City will evaluate all materials submitted by responding firms and rank the proposals in order of qualifications and not by a numerical scoring system. Evaluation of proposals will be made upon the basis of technical competence, general background experience, performance on similar contracts for the City of Norfolk or other local, state, or federal contracts, availability on capacity of the firm to perform anticipated work as well as the requirement listed above. The City shall engage in individual discussions with two or more firms deemed most qualified, responsible and suitable on the basis of initial responses and with emphasis on professional competence to provide the required services. After completion of the interview process, the City shall select, in the order of preference, two or more firms whose professional

qualifications and proposed services are deemed the most meritorious. At that time, the City will enter into negotiations with the first choice firm to determine an agreeable method of compensation for service. If negotiation cannot be successfully completed with the first choice firm, the City will then negotiate with the second choice firm, and so on. Upon completion of negotiations, a formal Agreement will be prepared and executed between the firm and the City of Norfolk.

SUBMITTAL INFORMATION

All Proposals are due no later than **4:00 p.m., Monday, March 28, 2016** and shall be time/date stamped by the City of Norfolk. Six copies of each proposal shall be submitted along with a copy on a thumb drive. Responses received after this time will not be considered.

Hand delivery, US Postal Service regular or express mail or private delivery service (FEDEX, UPS, etc.), send to:

Mr. David L. Ricks, P.E.
Director of Public Works
City of Norfolk
810 Union Street, Room 700
Norfolk, Virginia 23510

ALL QUESTIONS regarding this solicitation shall be submitted IN WRITING ONLY to Toni Alvarez, Contract Monitoring Specialist, City of Norfolk Department of Public Works at toni.alvarez@norfolk.gov.

No meeting/introduction requests will be honored by City of Norfolk staff during the solicitation period.

David L. Ricks, P.E.
Director

The Virginian Pilot: March 6, 2016
DemandStar: March 6, 2016

FIRM DATA SHEET

Funding: S& F (S=State F=Federal)

RFP: Construction Administration/Inspection
Services (Annual Contract)

RFP Due Date: XXXXXXXXXX

The prime consultant is responsible for submitting the information requested below on all firms on the project team, both prime and all subconsultants. All firms are to be reported on one combined sheet unless the number of firms requires the use of an additional sheet. Failure to submit all of the required data will result in the Proposal not being considered.

Firm's Name and Address	Firm's DBE or SWaM Status *	Firm's Age	Firm's Annual Gross Receipts

* YD = DBE Firm Certified by DMBE

N = DBE or SWaM Firm Not Certified by DMBE

NA = Firm Not Claiming DBE or SWaM Status

YS = SWaM Firm Certified by DMBE.

Indicate whether small, woman-owned, or small business.

DMBE is the Virginia Department of Minority Business Enterprise.

CERTIFICATION REGARDING DEBARMENT
PRIMARY COVERED TRANSACTIONS
(To be completed by a Prime Consultant)

Request for Proposal for: Construction Administration/Inspection Services – Annual Contract –
City of Norfolk

- 1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.
 - b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; and have not been convicted of any violations of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;
 - c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 1) b) of this certification; and
 - d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- 2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the offeror for contracts to be let by the City of Norfolk.

Signature

Date

Title

Name of Firm

CERTIFICATION REGARDING DEBARMENT
LOWER TIER COVERED TRANSACTIONS
(To be completed by a Sub-consultant)

RFP for: Construction Administration/Inspection Services – Annual Contract –
City of Norfolk

- 1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- 2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the offeror for contracts to be let by the City of Norfolk.

Signature

Date

Title

Name of Firm

(List Amount of Each With City of Norfolk by Division)

* Projects include contracts under negotiation. For limited services term contracts, include the amount of all task orders executed or under negotiation.
Please list all City projects followed by their Category(Category) letter.
Category A: Term Surveying and Utility Designation/Location Contracts.
Category B: Preliminary Engineering Contracts - includes transportation planning, modeling, environmental studies, utility relocation and design, and roadway and bridge design.
Category C: Construction Engineering Contracts - includes construction inspection, preparation of final estimates, and bridge and traffic structure safety inspection.
Category D: Operation and maintenance Contracts - includes operation and maintenance of traffic management systems.

** Amount of contract includes contingency and non-salary direct cost and all executed supplemental agreements.

*** Excluding Subconsultants

For any work that has been exempted by the City, you must include a copy of the exemption letter with this submittal.
Work being performed under the Public Private Transportation Act (PPTA) or as a subcontractor on a Design-Build project shall not be included. Work being performed as a prime or joint venture on a Design-Build project shall be included.

† The outstanding workload of any certified DBE or SWaM prime and subconsultant is not to be included. When a DBE or SWaM firm graduates from the program, their workload incurred while a DBE or SWaM will be exempted for the next three years.
Any work obtained after graduating from the program will be counted

ATTACHMENT 1: U.S. DOT 1050.2 TITLE VI ASSURANCE APPENDIX A

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964: During the performance of this Agreement, the Consultant, for itself, its assignees and successors in interest (herein referred to as “the Consultant”), agrees as follows:

- a. Compliance with Regulations: The Consultant will comply with the Regulations of the U.S. Department of Transportation relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (Title 49), Code of Federal Regulations, Part 21, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- b. Nondiscrimination: The Consultant, with regard to the services provided by it after award and prior to completion of this Agreement, will not discriminate on the grounds of race, religion, color, sex, national origin, age or handicap in the selection and retention of subconsultants, including procurements of materials and leases of equipment. The Consultant will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the services cover a program set forth in Appendix B of the Regulations.
- c. Solicitations for Subconsultants: In all solicitations, either by competitive bidding or negotiation made by the Consultant for work to be performed under a subcontract, including procurements of materials or equipment, each potential subcontractor or supplier shall be notified by the Consultant of the Consultant’s obligations under this Agreement.
- d. Information and Reports: The Consultant will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of the Consultant is in the exclusive possession of another who fails or refuses to furnish this information, the Consultant shall so certify to the Department, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information. Consultants and subconsultants with fifteen (15) or more employees will submit an updated Title VI Evaluation Report (EEO-D2) annually as long as the consultant or subconsultant is performing in accordance with this Agreement.
- e. Sanctions for Noncompliance: In the event of the Consultant’s noncompliance with the nondiscrimination provisions of this Agreement, the Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including but not limited to:
 - 1) withholding of payments to the Consultant under this Agreement until the Consultant complies, and/or
 - 2) cancellation, termination or suspension of this Agreement, in whole or in part.
- f. Incorporation of Provisions: The Consultant will include the provisions of paragraphs “a” through “f” in every subcontract of \$10,000 or more, including procurements of materials and leases of equipment, unless exempt by the Regulations, order or instructions issued pursuant thereto. The Consultant will take such action with respect to any subcontractor or procurement as the Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, in the event the Consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Consultant may request the Department to enter into such litigation to protect the interests of the Department and, in addition, the Consultant may request the United States to enter into such litigation to protect the interests of the United States.

ATTACHMENT 2: DBE POLICY STATEMENT

It is the policy of the Virginia Department of Transportation that Disadvantaged Business Enterprises (DBE) as defined in 49 CFR Part 26 shall have the maximum opportunity to participate in the performance of federally funded consultant contracts. A list of Virginia Department of Minority Business Enterprise certified DBE firms is maintained on their web site (<http://www.dmb.state.va.us/>) under the **DBE Directory of Certified Vendors**. Consultants are encouraged to take all necessary and reasonable steps to ensure that DBE firms have the maximum opportunity to compete for and perform services on the contract, including participation in any subsequent supplemental contracts. If the consultant intends to subcontract a portion of the services on the project, the consultant is encouraged to seek out and consider DBE firms as potential subconsultants. The consultant is encouraged to contact DBE firms to solicit their interest, capability and qualifications. Any agreement between a consultant and a DBE firm whereby the DBE firm promises not to provide services to other consultants is prohibited. [Include the following wording on federally funded projects with DBE goals The City of Norfolk and the Department believes that these services support 10 % DBE participation.

In accordance with the Governor's Executive Order No. 33, the Virginia Department of Transportation also requires a utilization of Small, Women and Minority (SWaM) Businesses to participate in the performance of state funded consultant contracts. A list of Virginia Department of Minority Business Enterprise (DMBE) certified SWaM firms is maintained on the DMBE web site (<http://www.dmb.state.va.us/>) under the **SWaM Vendor Directory** link. Consultants are encouraged to take all necessary and reasonable steps to ensure that SWaM firms have the maximum opportunity to compete for and perform services on the contract, including participation in any subsequent supplemental contracts. If the consultant intends to subcontract a portion of the services on the project, the consultant is encouraged to seek out and consider SWaM firms as potential subconsultants. The consultant is encouraged to contact SWaM firms to solicit their interest, capability and qualifications. Any agreement between a consultant and a SWaM firm whereby the SWaM firm promises not to provide services to other consultants is prohibited.

[Include the following wording and two bullets on state or federally funded projects with a DBE or SWaM goal. In the following sentence and these two bullets, remove references to SWaM on federally funded projects and DBE on a state funded project] If portions of the services are to be subcontracted to a DBE or SWaM, the following needs to be submitted with your EOI and both must reference the project number(s) for the services:

- Written documentation of the prime's commitment to the DBE or SWaM firm to subcontract a portion of the services, a description of the services to be performed and the percent of participation.

- Written confirmation from the DBE or SWaM firm that it is participating, including a description of the services to be performed and the percent of participation.

49 CFR Part 26 requires VDOT to collect certain data about firms attempting to participate in VDOT contracts. This data must be provided on the enclosed Firm Data Sheet.

VDOT is also required to capture DBE and SWaM payment information on all professional services contracts. The successful prime consultant will be required to complete C- 63 form for both state and federally funded projects on quarterly basis.

Any DBE or SWaM firm must become certified (with the Virginia Department of Minority Business Enterprise) prior to your response being submitted. If DBE or SWaM firm is the prime consultant, the firm will receive full credit for planned involvement of their own forces, as well as the work that they commit to be performed by DBE or SWaM subconsultants. DBE or SWaM prime consultants are encouraged to make the same outreach efforts as other consultants. DBE or SWaM credit will be awarded only for work actually being performed by them. When a DBE or SWaM prime consultant subcontracts work to another firm, the work counts toward DBE or SWaM goals only if the other firm is itself a DBE or SWaM. A DBE or SWaM prime consultant must perform or exercise responsibility for at least 30% of the total cost of its contract with its own force.

DBE or SWaM certification entitles consultants to participate in VDOT's DBE and SWaM programs. However, this certification does not guarantee that the firm will obtain VDOT work nor does it attest to the firm's abilities to perform any particular work.

Business Opportunity and Workforce Development (BOWD) Center - The BOWD Center is a VDOT developmental supportive services program and partnering initiative funded by FHWA for selected DBE firms of various skill and competence levels interested in entering, enhancing or expanding highway contracting opportunities with prime consultants. The partnering initiative between prime consultants and BOWD DBE firms provides the opportunity for the further development of DBE firms through performance on contracts and guidance from prime consultants. The intent of this partnering initiative is to increase capacity by perfecting existing skills and knowledge, expanding into new work areas, and prime consultant joint venturing with DBE firms.

The prime consultants are encouraged to achieve all or a percentage of the required DBE participation/goals determined for this project by the utilization of BOWD approved firms. To assist consultants in taking advantage of this opportunity for utilization of approved BOWD firms, please contact the BOWD Center for additional information, details, resources and support. For further information on the BOWD Center and to view the DBE profiles, go to

www.virginiadot.org/business/BOWD.asp. The BOWD Center can be contacted at (804) 662-9555 or via email to BOWDCenter@vdot.virginia.gov.

ATTACHMENT 3: FORM C-63 (DBE/SWAM PAYMENT COMPLIANCE REPORT)

Form C-63
Rev. 7-06-07

COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION DBE AND SWAM PAYMENT COMPLIANCE REPORT

Page(s) _____ Of _____
(1a) Report No. _____
(1b) Period Ending _____

(2a) Federally Funded ☐
(2b) State Funded ☐
(2c) Order No. _____ (2d) Date of Execution _____
(2e) Contractor/Subcontractor _____
(2f) Route No. _____ (2g) Project No. _____ (2h) Contract Id. No. _____
(2i) FHWA No _____ (2j) District _____

(3) DBE and SWAM Firm Name, Certification No.	(4) Tax I.D. No.	(5) DBE and SWAM Category	(6) Allowable Credit of Contract or Agreement	(7) Allowable Credit		(8) Disallowed Credit (VDOT Use Only)		(9) Type of Work (Indicate Item Numbers & Work Description)
				(7a) This Quarter	(7b) To Date	(8a) This Quarter	(8b) To Date	
Total Dollar Amount Paid by Quarter and To Date by DBE and SWAM Category			DMBE					
			DWBE					
			SBE					
			WBE					
			MBE					

All "amounts paid" to certified DBE and SWAM firms are to be reported and submitted by VDOT's quarterly submittal schedule. See Instructions.

I/WE certify under penalty of law that the information provided herein is accurate, current, and complete to the best of my/our Knowledge.

Signature and Title of Company Official _____ Date _____
Print Name and Phone Number of Individual Completing Report _____

**VIRGINIA DEPARTMENT OF TRANSPORTATION
INSTRUCTIONS FOR
DBE/SWAM PAYMENT COMPLIANCE REPORT – C63**

The Prime Contractor is required to submit a DBE Payment Compliance Report and requested to submit payments made to Small, Women-owned, and Minority-owned (SWAM) Business Enterprises for the designated quarterly reporting period. All amounts paid to **certified** DBE and SWAM businesses are subject to monitoring and enforcement mechanisms. It is the responsibility of the prime contractor to provide evidence of DBE and SWAM payments in response to monitoring and enforcement compliance reviews.

The instructions below correspond to each item on the report. Please follow the instructions.

- 1a. **Report No.**
Indicate the number of the report you are sending in sequence. For example: If this is the second report you are submitting, enter Report No. 2.
- 1b. **Period Ending**
Indicate the reporting period based on the Reporting Schedule listed in these instructions.
- 2a. **Federally Funded**
Indicate if contract is federally funded.
- 2b. **State Funded**
Indicate if contract is state funded.
- 2c. **Order No.**
Enter the "Call Order" number assigned to your project by VDOT
- 2d. **Date of Execution**
Enter the date the contract was executed by VDOT.
- 2e. **Contractor/Subcontractor**
Enter your company's name.
- 2f. **Route No.**
Enter the highway route number shown in your contract.
- 2g. **Project No.**
Enter the project number assigned to your project by VDOT.
- 2h. **Contract Id. No.**
Enter the contract identification number assigned to your project by VDOT.
- 2i. **FHWA No.**
Enter the FHWA number assigned to your project.
- 2j. **District**
Enter the District where the project under contract is located.
3. **DBE and SWAM Firm Name, Certification No.**
Enter all DBE/SWAM subcontractors utilized and their certification number.

4. **Tax I.D. No.**
Indicate the Federal Employer Identification No.
5. **DBE and SWAM Category** (As certified by the Virginia Department of Minority Business Enterprise)
Designate type of DBE/SWAM business:
DBE: DMBE – Disadvantaged Minority-owned Business
DWBE – Disadvantaged Woman-owned Business

SWAM: SBE – Small Business
MBE – Minority-Owned Business
WBE – Woman-Owned Business
6. **Allowable Credit of Contract or Agreement**
Dollar value of contract or agreement to be performed by the DBE and SWAM during the contract or agreement which is allowable for participation credit.
- 7a. **Allowable Credit This Quarter**
Dollar amount that can be credited for work performed in reporting quarter.
- 7b. **Allowable Credit To Date**
Dollar amount that can be credited for work performed since work commenced.
- 8a. **Disallowed Credit This Quarter**
Dollar amount of payment paid to DBE and SWAM that is NOT allowable for participation credit in reporting quarter.
- 8b. **Disallowed Credit To Date**
Dollar amount of payment that is NOT allowable for participation credit since work commenced.
9. **Type of Work** (Indicate Item Numbers)
State work item(s) performed and give description.

Effective July 1, 2007, All Form C-63s for a particular reporting period shall be submitted in an electronic format to the respective person in responsible charge in each District by the following dates of each calendar year.

REPORTING SCHEDULE

Quarter	Reporting Period	Date Due To Responsible VDOT Residency
1st	July 1 – September 30	Five (5) working days after the reporting period
2nd	October 1 – December 31	Five (5) working days after the reporting period
3rd	January 1 – March 31	Five (5) working days after the reporting period
4th	April 1 – June 30	Five (5) working days after the reporting period

If the submittal date falls on a weekend/holiday, the forms shall be submitted to the VDOT Responsible Charge District Office on the following business day.

INSTRUCTIONS FOR SAVING FORM C-63 DATA IN PDF FORMAT

Please be advised that the information that you have placed on the Form C-63 (PDF format) will not save to the file when you close the file. **To save your information while using the PDF format, you must use the correct procedures outlined below.**

** The following steps will describe the correct procedure for saving the data that you have placed on the PDF version of the Form C-63:

- Step #1** CLICK ON **"File"**
- Step #2** CLICK ON **"Save A Copy"**
- Step #3** CLICK ON **"Save A Blank Copy"**
- Step #4** ENTER your **"Firm Name"** as the File Name
- Step #5** ENTER the **"Order Number"** (see line 2c on Form C-63)
- Step #6** ENTER **Underscore (_)**
- Step #7** ENTER **"Report Number"** (see line 1a on Form C-63)
- Step #8** ENTER **"Quarter Ending"** (see line 1b on Form C-63)
- Step #9** ENTER the **"Year"** (last two digits only)
- Step #10** ENTER **".pdf"** as the appropriate file ending

EXAMPLE:

Firm Name:	Vdot Construction Co.
Order No.:	A01
Report No.:	5
Quarter Ending:	1st Quarter (Jul.1 – Sept. 30)
Year:	07

Using the information in the example, your file would be saved as:
vdotA01_050107.pdf

ATTACHMENT 4: TITLE VI EVALUATION REPORT

VDOT TITLE VI EVALUATION FORM

This Title VI Evaluation Form is used as a Pre-award Review and Post-award Review. VDOT is required to conduct routine assessments prior to releasing funds to ensure Title VI compliance. A pre-award review assists VDOT in determining whether applicants operate in a nondiscriminatory manner. Pre-award reviews can also be used to require applicants to take preventive measures to ensure that discrimination will not occur in their services as a condition of receiving contracts. Pre-award reviews represent a frontline approach to eliminating and preventing discrimination before it occurs.

Post-Award Reviews are generally conducted after a contractor begins the scope of work. However to minimize the burden on VDOT's contractors, VDOT has developed a form that serves as both a pre-award and post-award compliance tool.

VDOT must also conduct on-site reviews of prime contractors periodically to ensure that the contractor remains in compliance with Title VI and to verify that the contractor has preventive measures to ensure nondiscrimination by their sub-contractors.

Name of Preparer:			Preparer's Title:		
Phone #:			Email Address:		
Name of Organization:			Address of Organization:		
Address of Virginia location where project will be done:					
Type of Contractor/Organization: <input type="checkbox"/> Private Organization <input type="checkbox"/> Governmental Agency			<input type="checkbox"/> Supplier <input type="checkbox"/> Other _____		
Workforce for Virginia Location(s)					
Total		% Minority		% Female	
Business Ownership/Control Minority <input type="checkbox"/> Yes <input type="checkbox"/> No Female <input type="checkbox"/> Yes <input type="checkbox"/> No			DBE Certified <input type="checkbox"/> Yes <input type="checkbox"/> No SWAM Certified <input type="checkbox"/> Yes <input type="checkbox"/> No		
Does your organization currently have contracts or subcontracts with VDOT? <input type="checkbox"/> Yes <input type="checkbox"/> No What is your organization's most recent date of Title VI approval?					
Status of Project(s):			Value of current Contract(s):		
What does your organization have in place to ensure nondiscrimination in your VDOT scope of work and your programs and services?					

Virginia Workforce

CONSULTANT EQUAL EMPLOYMENT OPPORTUNITY WORKFORCE ANALYSIS

Employment at this establishment – Report all permanent full and part-time employees including apprentices and on-the job trainees unless specifically excluded as set forth in the instructions. Enter the appropriate figures on all lines and in all columns. Blank spaces will be considered zeros.

Job Categories	Number of Employees (Report employees in only one category)															
	Race/Ethnicity															
	Hispanic or Latino		Not Hispanic or Latino												Total Col A-N	
			Male						Female							
	Male	Female	White	Black or African American	Native Hawaiian Or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	White	Black or African American	Native Hawaiian Or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races		
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	
Executive/Sir. Level Officials & Managers (1.1)																
First/Mid-Level Officials & Managers (1.2)																
Professionals (2)																
Technicians (3)																
Sales Workers (4)																
Administrative Support Workers (5)																
Craft Workers (6)																
Operatives (7)																
Laborers & Helpers (8)																
Service Workers (9)																
TOTAL (10)																
PREVIOUS YEAR TOTAL (11)																

Organization, Staffing, & Training

1. What type of services will your organization provide VDOT?
2. Identify the person responsible for the administration of Title VI policies and procedures (a Title VI Coordinator). Provide the name, position, title, and contact information.

Title VI/Nondiscrimination

1. Is your Title VI Coordinator, project managers, and other staff made aware of Title VI compliance and regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21 and the Federal Highway Administration's 23 Code of Federal Regulations 200? Please explain how they are made aware.
2. What procurement procedures does your organization have in place to ensure nondiscrimination in the selection and retention of subcontractors including procurements of materials and leases of equipment?
3. How does your organization notify your subcontractors and suppliers of their obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, disability and low income populations?
4. Are facilities and meeting areas fully accessible to persons with disabilities?
5. Does your organization have a system in place to accommodate persons with disabilities? If yes, how does your organization notify the public? If no, please explain.
6. How are limited English proficient persons made aware that they can receive translation services for access to services?
7. Has your organization been reviewed by any governmental agencies for compliance with Title VI and other laws and regulations? If yes, provide a copy of the letter identifying the review findings?

8. Does your organization receive federal assistance (grants, loans, donations of property, or detail of personnel) from any Federal government entity?

9. List any discrimination complaints and/or lawsuits received in Virginia during the reporting period. Include the basis for the complaint (ethnicity, gender, etc.) and summarize the outcome or resolution. If applicable, include a copy of the investigation report.

Disadvantaged Business Enterprises (DBE)

1. Did your organization award any contracts/subcontracts related to VDOT work to DBEs during the reporting period? If yes, provide the following:
 - The DBE's name and amount awarded
 - Total # of contracts awarded to DBEs
 - Total dollar amount of contracts awarded to DBEs

I certify that the data given in this report is correct to the best of my knowledge. (Report has to be submitted with original signature, not a photocopy.)

Signature:

(Authorized Officer)

(Title)

(Date)

For Office Use Only:

Provide award? Yes _____ No _____

Recommendations:

Appendix A

VDOT is a recipient of federal financial assistance. As a recipient, VDOT is required to comply with Title VI of the Civil Rights Act of 1964, as amended and other nondiscrimination laws and authorities. Title VI of the Civil Rights Act of 1964, and other directives prohibit agencies and sub-recipients receiving federal assistance from discriminating against anyone or any group in the United States on the grounds of race, color, national origin, sex, age, disability, or low-income. The United States Department of Transportation (USDOT) and Federal Highway Administration (FHWA) Regulations (49) Code of Federal Regulations (CFR), Part 21, and 23 CFR, Part 200 respectively, and other applicable orders and authorities provide guidelines, actions, and responsibilities for VDOT's implementation of the Title VI Program. These laws and regulations include but are not limited to the following:

- **The 1970 Uniform Act (42 USC 4601)** – prohibits unfair treatment of displacees
- **Section 504 of the 1973 Rehabilitation Act (29 USC 790)** – prohibits discrimination based on disability
- **The Federal-Aid Highway Act 1973 (23 USC 324)** – prohibits discrimination based on gender
- **The 1975 Age Discrimination Act (42 USC 6101)** – prohibits age discrimination (any age)
- **The Civil Rights Restoration Act of 1987** – clarified the original intent of nondiscrimination organization-wide
- **Executive Order 12898 on Environmental Justice (EJ)** addresses disproportionately high and adverse human health and environmental effects on minority and low-income populations
- **Executive Order 13166 on Limited English Proficiency (LEP)** - ensures people who are limited English proficient (LEP) have meaningful access to services

In brief, these laws and regulations prohibit discrimination in federally assisted programs and activities. Title VI of the 1964 Civil Rights Act states that:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

By contracting with VDOT, a contractor is obligated to comply with the laws and regulations listed above and within the Memorandum of Agreement (MOA) executed between the Department and the contractor. VDOT's Civil Rights Division with the assistance from each applicable division's Program Manager, monitors an organization's compliance with the non-discrimination provisions.

To monitor compliance, each contractor and all sub-contractors are required to submit a Title VI Evaluation Form. This requirement is applicable for all contractors.

The Title VI Evaluation Form provides documentation that a contractor has procedures in place to prevent discrimination in programs and services based on Title VI.

VDOT will request a Title VI Evaluation Form within ten (10) days of notification of selection for new contractors or contractors that do not have a current assessment on file with VDOT. The Assessment Form should be submitted to the Program Manager in the division that is negotiating the contract. These are the divisions we currently receive Title VI Evaluation Forms from:

Right of Way & Utilities Division
Location & Design Division
Environmental Division
Structure & Bridge
Innovative Project Delivery
Materials Division
Transportation & Mobility Planning Division

Once the Title VI Evaluation Form is provided to VDOT, the Title VI Coordinator in the Civil Rights Division reviews the information and issues a pre-award letter within fifteen (15) days of receiving documentation or may schedule an on-site review within the same time frame to confirm information provided in the Assessment Form. VDOT Program Managers have access to a Title VI Log that is updated monthly on the Civil Rights Website. The Title VI Coordinator may request additional information and/or recommend corrective actions. The Title VI Coordinator may randomly schedule on site compliance reviews at the contractor's office.

If the report is approved for award, a letter is sent out with an expiration date for one year from the date of the approval letter. Typically the letter remains current and on file with VDOT for a period of one year. An updated report is required annually for contractors who continue to perform under a contract with VDOT. It should be noted that if VDOT conducts an on site compliance review the contractor can still be found to be out of compliance during the one year period.

Failure to comply with the nondiscrimination provisions may result in cessation of negotiations, withholding of payments, cancellation, termination, or suspension of the contract in whole or in part.

Should you have any questions about VDOT's Title VI Program or the Title VI Evaluation Form, you may directly contact the Title VI Coordinator in VDOT's Civil Rights Division at 804-786-2085 or at robin.underwood@vdot.virginia.gov.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
DBE GOOD FAITH EFFORTS DOCUMENTATION

--DO NOT DETACH--

**THIS INFORMATION MUST BE SUBMITTED
WITHIN 2 DAYS AFTER BID OPENING IF YOUR
BID DOES NOT MEET THE PROJECT DBE
REQUIREMENTS, OR
WHEN REQUESTED BY VDOT**

CONTRACT I.D. NUMBER _____

PROJECT NUMBER _____

FHWA NUMBER _____

DISTRICT _____

DATE BID SUBMITTED _____

BIDDER'S NAME _____

SIGNATURE _____

TITLE _____

VENDOR NUMBER _____

DBE GOAL FROM BID PROPOSAL _____

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
DBE GOOD FAITH EFFORTS DOCUMENTATION

CONTRACT I.D. NO. _____ DATE SUBMITTED _____

IF THE DBE GOAL ESTABLISHED FOR THIS CONTRACT HAS NOT BEEN MET OR VDOT REQUESTS THE SUBMITTAL THEREOF, THE BIDDER IS REQUIRED TO SUBMIT GOOD FAITH EFFORTS AS OUTLINED IN THIS DOCUMENT.

THE BIDDER ACKNOWLEDGES AND CERTIFIES THAT THIS FORM ACCURATELY REPRESENTS THE INFORMATION CONTAINED HEREIN.

BIDDER _____ SIGNATURE _____

TITLE _____

NAMES OF CERTIFIED DBEs AND THE DATES ON WHICH THEY WERE SOLICITED TO BID ON THIS PROJECT

INCLUDE THE ITEMS OF WORK OFFERED AND THE DATES AND METHODS USED FOR FOLLOWING UP INITIAL SOLICITATIONS TO DETERMINE WHETHER OR NOT DBEs WERE INTERESTED.

NAMES AND VENDOR NUMBERS OF DBEs SOLICITED	DATE OF INITIAL SOLICITATION	ITEM(S) OF WORK	FOLLOW-UP METHODS AND DATES

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY

ATTACH COPIES OF SOLICITATIONS, TELEPHONE RECORDS, FAX CONFIRMATIONS, ELECTRONIC INFORMATION, ETC.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
DBE GOOD FAITH EFFORTS DOCUMENTATION

CONTRACT I.D. NO. _____ DATE SUBMITTED _____

IF THE DBE GOAL ESTABLISHED FOR THIS CONTRACT HAS NOT BEEN MET OR VDOT REQUESTS THE SUBMITTAL THEREOF, THE BIDDER IS REQUIRED TO SUBMIT GOOD FAITH EFFORTS AS OUTLINED IN THIS DOCUMENT.

THE BIDDER ACKNOWLEDGES AND CERTIFIES THAT THIS FORM ACCURATELY REPRESENTS THE INFORMATION CONTAINED HEREIN.

BIDDER _____ SIGNATURE _____

TITLE _____

TELEPHONE LOG

DBE(s) CALLED	TELEPHONE NUMBER	DATE CALLED	TIME CALLED	CONTACT PERSON OR VOICE MAIL STATUS

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
DBE GOOD FAITH EFFORTS DOCUMENTATION

CONTRACT I.D. NO. _____ DATE SUBMITTED _____

IF THE DBE GOAL ESTABLISHED FOR THIS CONTRACT HAS NOT BEEN MET OR VDOT REQUESTS THE SUBMITTAL THEREOF, THE BIDDER IS REQUIRED TO SUBMIT GOOD FAITH EFFORTS AS OUTLINED IN THIS DOCUMENT.

THE BIDDER ACKNOWLEDGES AND CERTIFIES THAT THIS FORM ACCURATELY REPRESENTS THE INFORMATION CONTAINED HEREIN.

BIDDER _____ SIGNATURE _____

TITLE _____

ITEM(S) OF WORK THAT THE BIDDER MADE AVAILABLE TO DBE FIRMS

IDENTIFY THOSE ITEM(S) OF WORK THAT THE BIDDER MADE AVAILABLE TO DBE FIRMS OR THOSE ITEM(S) THE BIDDER IDENTIFIED AND DETERMINED TO SUBDIVIDE INTO ECONOMICALLY FEASIBLE UNITS TO FACILITATE DBE PARTICIPATION. FOR EACH ITEM LISTED, SHOW THE DOLLAR VALUE AND PERCENTAGE OF THE TOTAL CONTRACT AMOUNT. IT IS THE BIDDER'S RESPONSIBILITY TO DEMONSTRATE THAT SUFFICIENT WORK TO MEET THE GOAL WAS MADE AVAILABLE TO DBE FIRMS.

ITEM(S) OF WORK MADE AVAILABLE	BIDDER NORMALLY PERFORMS ITEM(S) (Y/N)	ITEM(S) BROKEN DOWN TO FACILITATE PARTICIPATION (Y/N)	AMOUNT IN DOLLARS	PERCENTAGE OF CONTRACT

NOTE: INFORMATION REQUIRED FOR THIS SECTION CONTINUED ON SHEET 5
ATTACH ADDITIONAL PAGES IF NECESSARY

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
DBE GOOD FAITH EFFORTS DOCUMENTATION

CONTRACT I.D. NO. _____ DATE SUBMITTED _____

IF THE DBE GOAL ESTABLISHED FOR THIS CONTRACT HAS NOT BEEN MET OR VDOT REQUESTS THE SUBMITTAL THEREOF, THE BIDDER IS REQUIRED TO SUBMIT GOOD FAITH EFFORTS AS OUTLINED IN THIS DOCUMENT.

THE BIDDER ACKNOWLEDGES AND CERTIFIES THAT THIS FORM ACCURATELY REPRESENTS THE INFORMATION CONTAINED HEREIN.

BIDDER _____ SIGNATURE _____

TITLE _____

**ADDITIONAL INFORMATION REGARDING ITEM(S) OF WORK THAT THE
BIDDER MADE AVAILABLE TO DBE FIRMS** (Continued From Sheet 4)

ITEM(S) OF WORK MADE AVAILABLE, NAMES OF SELECTED FIRMS AND DBE STATUS, DBEs THAT PROVIDED QUOTES, PRICE QUOTE FOR EACH FIRM, AND THE PRICE DIFFERENCE FOR EACH DBE IF THE SELECTED FIRM IS NOT A DBE.

ITEM(S) OF WORK MADE AVAILABLE(CONT.)	NAME OF SELECTED FIRM AND VENDOR NUMBER	DBE OR NON-DBE	NAME OF REJECTED FIRM(S)	QUOTE IN DOLLARS	PRICE DIFFERENCE IN DOLLARS

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY.

IF THE FIRM SELECTED FOR THE ITEM IS NOT A DBE, PROVIDE THE REASON(S) FOR THE SELECTION ON A SEPARATE PAGE AND ATTACH.

PROVIDE NAMES, ADDRESSES, AND TELEPHONE NUMBERS FOR THE FIRMS LISTED ABOVE.

COMMONWEALTH OF VIRGINIA
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BIDDER _____ SIGNATURE _____

TITLE _____

ADVERTISEMENTS OR PROOFS OF PUBLICATION.

NAMES AND DATES OF EACH PUBLICATION IN WHICH A REQUEST FOR DBE PARTICIPATION FOR THE PROJECT WAS PLACED BY THE BIDDER. ATTACH COPIES OF PUBLISHED ADVERTISEMENTS OR PROOFS OF PUBLICATION.

PUBLICATIONS	DATES OF ADVERTISEMENT

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
DBE GOOD FAITH EFFORTS DOCUMENTATION

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BIDDER _____ SIGNATURE _____

TITLE _____

NAMES OF AGENCIES CONTACTED TO PROVIDE ASSISTANCE

NAMES OF AGENCIES (SEE SPECIAL PROVISION FOR 107.15) AND THE DATES THESE AGENCIES WERE CONTACTED TO PROVIDE ASSISTANCE IN CONTACTING, RECRUITING, AND USING DBE FIRMS. IF THE AGENCIES WERE CONTACTED IN WRITING, ATTACH COPIES OF SUPPORTING DOCUMENTS.

NAME OF AGENCY	METHOD AND DATE OF CONTACT	RESULTS

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
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CONTRACT I.D. NO. _____ DATE SUBMITTED _____

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BIDDER _____ SIGNATURE _____

TITLE _____

TECHNICAL ASSISTANCE AND INFORMATION PROVIDED TO DBEs

EFFORTS MADE TO PROVIDE INTERESTED DBEs WITH ADEQUATE INFORMATION ABOUT THE PLANS, SPECIFICATIONS, AND REQUIREMENTS OF THE BID DOCUMENTS TO ASSIST THE DBEs IN RESPONDING TO A SOLICITATION.

IDENTIFY THE DBEs ASSISTED, THE INFORMATION PROVIDED, AND THE DATE OF CONTACT. ATTACH COPIES OF SUPPORTING DOCUMENTS.

DBEs ASSISTED	INFORMATION PROVIDED	DATE OF CONTACT

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
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BIDDER _____ SIGNATURE _____

TITLE _____

EFFORTS MADE TO ASSIST DBEs OBTAIN BONDING, LINES OF CREDIT, INSURANCE, ETC.

EFFORTS MADE TO PROVIDE INTERESTED DBEs IN OBTAINING BONDING, LINES OF CREDIT, INSURANCE, NECESSARY EQUIPMENT, SUPPLIES, MATERIALS, OR RELATED ASSISTANCE OR SERVICES, EXCLUDING SUPPLIES AND EQUIPMENT THE SUBCONTRACTOR PURCHASES OR LEASES FROM THE PRIME CONTRACTOR OR ITS AFFILIATES.

IDENTIFY THE DBEs ASSISTED, THE ASSISTANCE OFFERED, AND THE DATES OF SERVICES OFFERED AND PROVIDED. ATTACH COPIES OF SUPPORTING DOCUMENTS.

DBEs ASSISTED	ASSISTANCE OFFERED	DATES SERVICES OFFERED AND/OR PROVIDED

NOTE: ATTACH ADDITIONAL PAGES IF NECESSARY.

NOTE: ATTACH ADDITIONAL PAGES, IF NECESSARY